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May 12, 2020

**VIA ELECTRONIC FILING AND
HAND DELIVERY FOR CONFIDENTIAL VERSION**

The Honorable Jocelyn G. Boyd
Chief Clerk/Executive Director
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, SC 29210

**Re: First Amendment to Power Purchase Agreement between Duke Energy Progress,
LLC and Cherry Blossom Solar, LLC
Docket No. 2017-33-E**

Dear Ms. Boyd:

By Order No. 2018-204 issued March 21, 2018, the Public Service Commission of South Carolina (the "Commission") accepted for filing the Power Purchase Agreement ("PPA") between Duke Energy Progress, LLC ("DEP" or the "Company") and Cherry Blossom Solar, LLC ("Cherry Blossom Solar" or the "Seller"). The Commission's order also granted DEP's request for confidential treatment of certain provisions of the PPA.

DEP hereby submits for acceptance by the Commission the attached First Amendment to Power Purchase Agreement ("Amendment"), executed by the Company and Cherry Blossom Solar on April 29, 2020. Due to the commercial sensitivity and proprietary nature of certain portions of the Amendment, DEP respectfully requests that the Commission find that pursuant to S.C. Code Ann. Regs. 103-804(S)(2) and S.C. Code Ann. § 30-4-40(a)(1), certain provisions of the Amendment are exempt from disclosure under the Freedom of Information Act, S.C. Code Ann. §§ 30-4-10 *et seq.*

The information contained in the Amendment for which DEP seeks protection derives economic value from not being generally known to, and not being readily ascertainable by proper means, by other persons who would be able to obtain economic value from its disclosure. Disclosure of this information would reveal confidential pricing and conditions, which are proprietary and specific to this counter-party. Moreover, the information for which DEP seeks protection is the same information (Performance Security and Contract Price, which have been

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updated under the amended agreement) for which the Commission granted confidential treatment in the original PPA in Order No. 2018-204.

Accordingly, the Company respectfully requests that it be permitted to file the confidential version of the Amendment under seal and maintained as confidential pursuant to Order No. 2005-226. Attached with this letter is a redacted version of the Amendment that protects from disclosure the commercially sensitive and proprietary information, while making available for public viewing non-protected information. Additionally, we are hand-delivering a confidential version of the Amendment to the Commission and providing an electronic copy to the Office of Regulatory Staff.

Sincerely,



Rebecca J. Dulin

Attachment

C: Jeffrey Nelson, Office of Regulatory Staff